

**REMARKS**

The present invention relates to a method of producing and purifying a vinyl ether group-containing (meth) acrylic ester.

In the Office Action of November 28, 2006, it was indicated that claims 8, 10, and 13 were rejected. First, the claims were rejected under 35 U.S.C. § 112, second paragraph with respect to claim 8 regarding the Examiner inquiry as to formulas (4), (5), and (6). Second, claim 8 was rejected under 35 U.S.C. §102 (b) as being anticipated by Trofimov et al, Zhurnal Organicheskoi Khimii (1982), 18(3), 528 - 31, and Kartashova et al, Osn. Organ. Sintezi Neftekhimiya, Yaroslavl (1989), (25), 42 - 67. Third, claims 10 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Trofimov et al, Zhurnal Organicheskoi Khimii (1982), 18(3), 528 - 31, and Kartashova et al, Can. Organ. Sintezi Neftekhimiya, Yaroslavl (1989), (25), 42 - 67.

Claim 8 has been amended herein. This amendment finds support on page 27, lines 5-7 of the present specification. Therefore, this amendment does not introduce new matter.

**Rejection of Claims 8, 10 and 13 under U.S.C. §112, second paragraph**

Applicant has amended claim 8, and it is clear from the recitation of amended claim 8 that the hydroxyl group-containing vinyl ether comprises, as an impurity, at least one of the

compounds selected from the group consisting of compounds represented by the formulae (4), (5) and (6).

Thus, Applicant respectfully submits that the §112, second paragraph rejection is overcome by the above amendment of claim 8.

Rejection of Claim 8 under 35 U.S.C. § 102(b)

The method of producing a vinyl ether group-containing (meth)acrylic ester of the present claim 8 uses the hydroxyl group-containing vinyl ether represented by the formula (2) which comprises, as an impurity, at least one compound selected from the group consisting of compounds represented by the formulae (4), (5) and (6).

Neither of the cited Trofimov or Kartashova references discloses the use of the hydroxyl group-containing vinyl ether which contains a compound having the specific structure of formulae (4), (5) or (6) as an impurity.

Thus, the method of producing a vinyl ether group-containing (meth)acrylic ester of claim 8 above is novel over the cited references.

Rejection of Claim 10 and 13 under 35 U.S.C. 103 (a)

In the method of producing vinyl ether group-containing (meth)acrylic esters of the present invention, by using hydroxyl group-containing vinyl ether compositions containing specific impurities, not completely pure hydroxyl group-containing vinyl ethers, the desired esters can be produced in an economic manner and the byproduct lower alcohol can be removed more easily than in the case where pure hydroxyl group-containing vinyl ethers are used as raw materials. Thus, the time required for the production of vinyl ether group-containing (meth)acrylic esters can be shortened.

The cited references disclosed nothing specifically with respect to using the hydroxyl group-containing vinyl ether compositions containing specific impurities, nor does it focus on the importance of such aspect.

The present invention is achieved by optimization of the material used for producing the vinyl ether group-containing (meth)acrylic esters, and shows superior results and unexpected advantages as compared to the prior art.

Accordingly, the Examiner's contention that the present claims are unpatentable over the cited references is untenable, and is respectfully traversed.

Applicant notes that this is the seventh (7th) Office Action in the present application. The earlier rejections have been overcome by amending the claims or arguing differences over the documents cited as references. However, two new references have been cited in this Office Action, but they merely disclose the production method of vinyl ether group-containing (meth)acrylic ester and discloses nothing with respect to characteristics of the production method of claim 8 of the present application. Kirk-Othmer fails to disclose or suggest that the hydroxyl group-containing vinyl ether including a compound with a specific structure is used as a raw material. This point was previously noted in the response to 5th Office Action, but the Examiner made no comment on the argument in the subsequent Office Action.

Applicant respectfully submits that it is time to resolve any remaining issues. In this regard, if any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local Washington, D.C. telephone number listed below.

In view of the above, reconsideration and allowance of pending claims 8, 10, and 13 of this application are now believed to be in order, and such actions are hereby earnestly solicited.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No.: 09/982,861

Attorney Docket No.: Q66372

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
\_\_\_\_\_  
Joseph J. Ruch, Jr.  
Registration No. 26,577

Date: March 27, 2007